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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

ADAM WEISBLATT, JOE HANNA, and  
DAVID TURK, individually and on behalf of  
all others similarly situated,

Plaintiffs,

v.

APPLE, INC., AT&T, INC., AT&T  
MOBILITY LLC, and Does 1-10,

Defendants.

Case No. 5:10-cv-02553-RMW

**STIPULATION AND [] ORDER  
OF DISMISSAL OF AT&T INC. WITHOUT  
PREJUDICE**

**[F.R.C.P. 41(a); N.D. CAL. CIVIL L.R. 7-12]**

The Hon. Ronald M. Whyte

FAC filed: June 23, 2010

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and Northern District Local Rule 7-12, it is hereby stipulated by and among plaintiffs Adam Weisblatt, Joe Hanna and David Turk and defendants AT&T, Inc. and AT&T Mobility LLC (collectively, "AT&T") and defendant Apple Inc., through their respective attorneys, that the above-captioned action shall be and is dismissed without prejudice as to AT&T Inc. only. Both parties shall bear their own attorneys' fees and costs.

Dated: September 16, 2010

LIEFF, CABRASER, HEIMANN &  
BERNSTEIN, LLP

By: /s/ Roger N. Heller

Roger N. Heller  
Attorneys for Plaintiffs

Dated: September 16, 2010

CROWELL & MORING, LLP

By: /s/ M. Kay Martin

M. Kay Martin  
Attorneys for Defendants  
AT&T, Inc. and AT&T Mobility LLC

Dated: September 16, 2010

MORRISON & FOERSTER LLP

By: /s/ Penelope A. Preovolos

Penelope A. Preovolos  
Attorneys for Defendant Apple Inc.

I, M. Kay Martin, am the ECF User whose ID and password are being used to file this Stipulation. In compliance with General Order 45, section X.B., I hereby attest that concurrence in the filing of the document has been obtained from each of the other signatories.

By: /s/ M. Kay Martin  
M. Kay Martin

**[ ] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: 9/22/10

  
Hon. Ronald M. Whyte  
United States District Judge